

MINUTES

FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

2/13/2007 4:30 pm

SUE BEITIA, CLERK

CASE NUMBER: CR 03-00112SOM
CASE NAME: USA vs. Joseph Tower
ATTYS FOR PLA: Loretta Sheehan
Lisa Jiicha (USPO)
ATTYS FOR DEFT: Loretta Faymonville for Pamela Byrne
INTERPRETER:

JUDGE: Susan Oki Mollway

REPORTER: Debra Chun

DATE: 2/13/2007

TIME: 11:00 - 11:20

COURT ACTION: EP: Continued Order to Show Cause Why Supervised Release
Should Not Be Revoked -

Defendant Joseph Tower present and in custody.

Ms.Faymonville informed the Court that a bedspace is available at Oxford House today.

Supervised release is revoked.

ADJUDGED:

Imprisonment: Time Served.

Supervised Release: 12 Months.

CONDITIONS:

- ▶ That the defendant shall abide by the standard conditions of supervision.
- ▶ That the defendant not commit any crimes, federal, state, or local (mandatory condition).
- ▶ That the defendant not possess illegal controlled substances (mandatory condition)
- ▶ That the defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of commencement of supervision and at least two drug tests thereafter but no more than 8 valid drug tests per month during the term of supervision, unless there is a positive drug test, in which event the maximum shall increase to up to one valid drug test per day.
- ▶ That the defendant shall not possess a firearm, ammunition, destructive device, or any other dangerous weapon.
- ▶ That the defendant shall participate in a substance abuse program, which may include drug and alcohol testing and may also include residential treatment, at the direction and direction of the Probation Office. The defendant is to also refrain from the possession and/or use of alcohol while participating in substance abuse treatment.
- > That the defendant provide the Probation Office access to any requested financial information.
- ▶ That the defendant participate in a mental health program at the discretion and direction of the Probation Office.
- ▶ That the defendant shall submit his person, residence, place of employment, or vehicle to a search conducted by the U.S. Probation Office at a reasonable time and in a reasonable manner, based upon reasonable suspicion of contraband or evidence of a violation of a condition of supervision. Failure to submit to a search may be grounds for revocation. The defendant shall warn any other resident that the premises may be subject to search pursuant to this condition.
- > That the defendant take all prescribed medications.
- > That the defendant reside on the island of Oahu and not travel or relocate to the Big Island without the Prior approval of the Probation Office.

- ▶ That the defendant participate in a Residential Reentry Center program such as Mahoney Hale for a period not to exceed 180 days, or in a structured living program such as the Oxford House. He shall remain at the Oxford House until otherwise released at the discretion and direction of the Probation Office. While in the program, the defendant shall participate in the components of the program.

USM is authorized to release custody of the defendant to the Federal Public Defender's Office.

FPD to transport the defendant directly to the VA's Office, then to Oxford House.

Defendant remanded to the custody of the USM.

Submitted by: Toni Fujinaga, Courtroom Manager.